

By: 

#.B. No. 1312

A BILL TO BE ENTITLED

AN ACT

relating to the liability of a chiropractor who voluntarily provides health care services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 84.003(5), Civil Practice and Remedies Code, is amended to read as follows:

(5) "Volunteer health care provider" means an individual who voluntarily provides health care services without compensation or expectation of compensation and who is:

(A) an individual who is licensed to practice medicine under Subtitle B, Title 3, Occupations Code;

(B) a retired physician who is eligible to provide health care services, including a retired physician who is licensed but exempt from paying the required annual registration fee under Section 156.002, Occupations Code;

(C) a physician assistant licensed under Chapter 204, Occupations Code, or a retired physician assistant who is eligible to provide health care services under the law of this state;

(D) a registered nurse, including an advanced nurse practitioner, licensed under Chapter 301, Occupations Code, or a retired registered nurse, including a retired advanced nurse practitioner, who is eligible to provide health care services under the law of this state;

1 (E) a licensed vocational nurse licensed under  
2 Chapter 302, Occupations Code, or a retired licensed vocational  
3 nurse who is eligible to provide health care services under the law  
4 of this state;

5 (F) a pharmacist licensed under Subtitle J, Title  
6 3, Occupations Code, or a retired pharmacist who is eligible to  
7 provide health care services under the law of this state;

8 (G) a podiatrist licensed under Chapter 202,  
9 Occupations Code, or a retired podiatrist who is eligible to  
10 provide health care services under the law of this state;

11 (H) a dentist licensed under Subtitle D, Title 3,  
12 Occupations Code, or a retired dentist who is eligible to provide  
13 health care services under the law of this state;

14 (I) a dental hygienist licensed under Subtitle D,  
15 Title 3, Occupations Code, or a retired dental hygienist who is  
16 eligible to provide health care services under the law of this  
17 state; ~~[or]~~

18 (J) an optometrist or therapeutic optometrist  
19 licensed under Chapter 351, Occupations Code, or a retired  
20 optometrist or therapeutic optometrist who is eligible to provide  
21 health care services under the law of this state; or

22 (K) a chiropractor licensed under Chapter 201,  
23 Occupations Code, or a retired chiropractor who is eligible to  
24 provide health care services under the law of this state.

25 SECTION 2. This Act takes effect September 1, 2003, and  
26 applies only to a cause of action that accrues on or after that  
27 date. An action that accrued before the effective date of this Act

1 is governed by the law in effect when the action accrued, and the  
2 former law is continued in effect for that purpose.

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**FEB 26 2003**

Filed with the Chief Clerk

**MAR 03 2003**

Read first time and referred to Committee on Civil Practices

Reported      favorably (as amended)  
(as substituted)

Sent to Committee on (Calendars)  
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)  
(record vote of      yeas,      nays,      present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of      yeas,      nays,      present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)  
(record vote of      yeas,      nays,      present, not voting)

Engrossed

Sent to Senate

\_\_\_\_\_  
CHIEF CLERK OF THE HOUSE

**OTHER HOUSE ACTION:**

Received from the House

Read and referred to Committee on \_\_\_\_\_

Reported favorably \_\_\_\_\_

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(     yeas,      nays)

Read second time, \_\_\_\_\_, and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(     yeas,      nays)

Senate and Constitutional 3 Day Rules suspended by a vote of      yeas,      nays

Read third time, \_\_\_\_\_, and passed by (a viva voce vote)  
(     yeas,      nays)

Returned to the House

\_\_\_\_\_  
SECRETARY OF THE SENATE

**OTHER SENATE ACTION:**

\_\_\_\_\_ Returned from the Senate (as substituted)  
(with amendments)

\_\_\_\_\_ House concurred in Senate amendments by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference committee report adopted (rejected) by the House by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays)